

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.9985 of 2020
and W.M.P.No.12137 of 2020

G.Mahendran,
S/o.(Late) Govindaraja,
No.73/2, Gandhi Road,
Alapakkam, Chennai,
Pin Code: 600 063.

...Petitioner

Vs.

- 1.The Member Secretary,
Chennai Metro Development Authority,
Thalamuthu Natarajan Building,
Gandhi Irwin Road, Chennai.
- 2.The District Collector,
The District Collector Office,
Chengalpattu District.
- 3.The Block Development Officer,
Kattakulathur Union,
Chengalpattu District.
- 4.The Commissioner,
Kattakolathur Panchayat Union,
Kattakulathur Union,
Chengalpattu District.
- 5.The Tahsildar,
Vandalur Taluk,
Chengalpattu District,
Chennai - 600 048.
- 6.V.Malliga,
D/o.V.Varadan,
W/o.R.Krishnaraj,
New No.24, Old No.46,
Mahavaperumal East Street,
Alandur, Chennai - 600 016.
- 7.V.Vasantha,
D/o.V.Varadan,

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W/o.R.Kanagaraj,
No.4/7, Vembuli Subedar Street,
Alandur, Chennai - 600 016.

8.V.Manoharan,
S/o.V.Varadan,
5C, Le Imperial, 122,
Greenways Road, R.A.Puram,
Chennai - 600 016.

9.V.Ezhilarasi,
D/o.V.Varadan,
W/o.V.Ramadass,
New No.24, Old No.46,
Mahavaperumal East Street,
Alandur, Chennai - 600 016.

10.V.Gani,
S/o.V.Varadan,
No.80 Door No.15,
2nd Main Road, Mahalakshmi Nagar,
Adambakkam, Chennai - 600 088.

11.V.Vijayalakshmi,
D/o.V.Varadan,
W/o.V.Varadan
New No.24, Old No.46,
Mahavaperumal East Street,
Alandur, Chennai - 600 016.

12.V.Radha,
D/o.V.Varadan,
W/o.Thirunavukkarasu,
New No.24, Old No.46,
Mahavaperumal East Street,
Alandur, Chennai - 600 016.

13.V.Srinivasan,
S/o.V.Varadan,
New No.24, Old No.46,
Mahavaperumal East Street,
Alandur, Chennai - 600 016.

14.R.Umamaheswari,
D/o.V.Varadan,
W/o.G.Rishikesavan,
New No.24, Old No.46,
Mahavaperumal East Street,
Alandur, Chennai - 600 016.

15.V.Malathi,

D/o.V.Varadan,
New No.24, Old No.46,
Mahavaperumal East Street,
Alandur, Chennai - 600 016.

16.M/s.Ace Star Property Private Limited,
Having Office at
No.12, South Mada Street,
Srinagar Colony, Saidapet,
Chennai - 600 015.

17.C.Nagaraj,
S/o.C.R.Narasimham,
L.T.Bharathi Nagar,
Avinashi, Peelamedu,
Coimbatore.

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents 1 to 5 to consider the petitioner representation dated 06.03.2020 and consequentially direct them to cancel the planning permission dated 29.08.2016 in P.P.D.L.O. No.23/2016 given by the first respondent to the respondents 6 to 17 to construction of commercial complex in the residential area in S.F.No.334/B situated at No.9, Nedunkundram, Alapakkam Village, Kattankulathur Panchayat Union, Chengalpattu District.

For Petitioner : Mr.S.Vinoth Kumar

For Respondents: Mr.S.Thiruvengadam for R1

Mr.E.Balamurugan for R2 to R4

O R D E R

This writ petition has been filed for the issue of a writ of mandamus directing the respondents 1 to 5 to consider the representation made by the petitioner on 06.03.2020 and to take action in accordance with law.

2.The grievance of the petitioner is that the private respondents are attempting to put up a commercial building in a residential area and also attempting to block the access in the main road. It is the further grievance of the petitioner that the planning permission itself should not have been given to the private respondents for the construction of the property. The petitioner had made a representation in this regard on 06.03.2020. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

3. Heard the learned counsel appearing for the petitioner and the learned counsel appearing on behalf of the respondents.

4. Taking into consideration the facts and circumstances of the case and without going into the merits of the case, there shall be a direction to the 1st respondent to consider the representation made by the petitioner on 06.03.2020 and deal with the same strictly in accordance with law. The 1st respondent before acting upon the representation, shall issue notice to respondents 6 to 17 and any other interested parties. The 1st respondent shall pass final orders within a period of 12 weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with a copy of the representation dated 06.03.2020 and all other relevant documents and also a copy of this order.

5. This writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

To

1. The Member Secretary,
Chennai Metro Development Authority,
Thalamuthu Natarajan Building,
Gandhi Irwin Road, Chennai.

2. The District Collector,
The District Collector Office,
Chengalpattu District.

3. The Block Development Officer,
Kattakulathur Union,
Chengalpattu District.

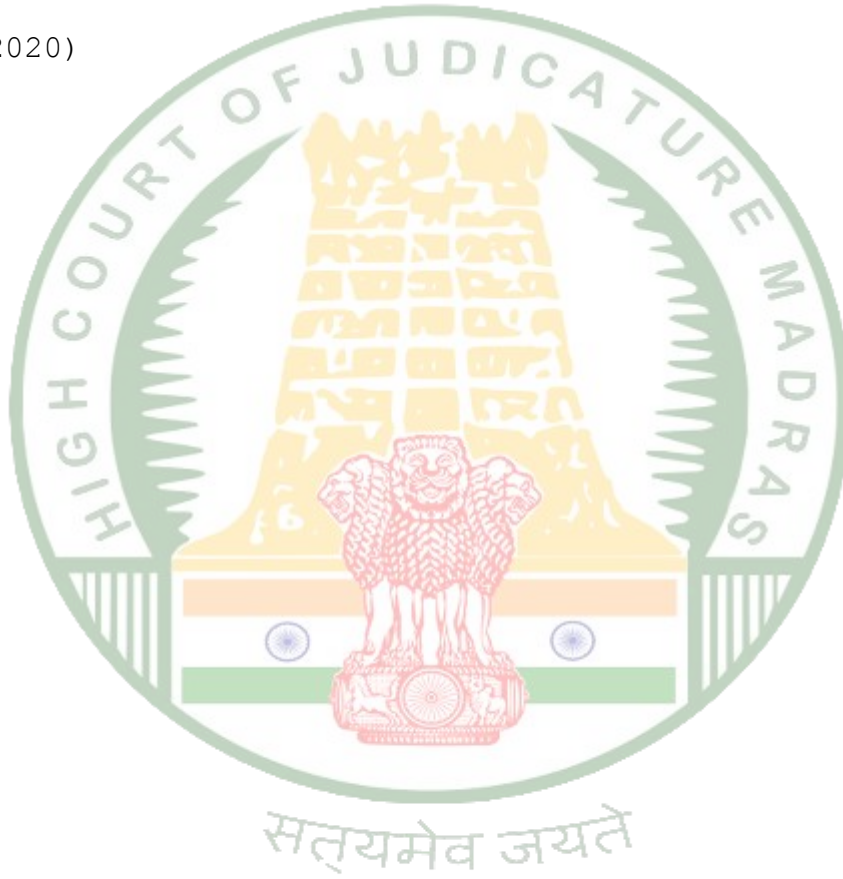
4. The Commissioner,
Kattakolathur Panchayat Union,
Kattakulathur Union,
Chengalpattu District.

5.The Tahsildar,
Vandalur Taluk,
Chengalpattu District,
Chennai - 600 048.

+1cc to Mr.S.Vinoth Kumar,Counsel for the petitioner,
S.R.No.25994 dt:05/08/2020

W.P No.9985 of 2020
and W.M.P.No.12137 of 2020

NSA (CO)
RV (27/08/2020)



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